

### **Remarks and Arguments**

Claims 1-54 have been presented for examination. Claims 1, 15, 19, 33, 37 and 51 have been amended.

Claims 1-54 have been rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,067,545 (Wolff.) The examiner comments that all of the claimed limitations are disclosed in the Wolff patent.

The present invention is directed to a system for configuring multiple resources in a computer system in which an administrator can dynamically create a new configuration policy by specifying service level attributes of resources. The system uses multiple configuration elements associated with each resource in the computer system. Each configuration element can configure its associated resource in a manner different from the other configuration elements associated with that resource. In order to allow an administrator to specify service level attributes, each configuration element maintains data concerning the service level attributes, including the field capabilities (as measured), of a resource that would result if that element configured the resource. This data is summarized in a table used by a configuration tool. In order to create a new configuration policy, the configuration tool examines the table with the specified service level attributes and selects the resources and the elements that configure those resources where the data indicate a service level that matches the level specified by the administrator.

The claims have been amended to specifically recite this operation. Claim1 is illustrative. It now recites "...providing a plurality of elements capable of configuring resources in the system, wherein each element specifies configuration parameters to use to configure instances of the resource, and wherein each resource is capable of being configured by multiple elements, each of which provides a different configuration of the resource; maintaining service information for each element indicating at least one service attribute that results from the configuration of a resource by that element; receiving at least one administrator specified service attribute for a configuration; comparing the administrator specified service attribute to the service information to determine at least one element and resource configured thereby for which the service

information indicates a service attribute that matches the at least one administrator specified service attribute...”

In contrast, the Wolff reference is directed to a distributed system in which client load rebalancing, resource rebalancing and concurrent input/output through a plurality of nodes can be performed. In the Wolff system, clients are connected to servers via a switched network, such as a packet-switched LAN or a circuit-switched network, such as PSTN network. Client load rebalancing is performed by reconfiguring the connections through the switched network to connect some clients to different servers. This is presumably done by changing the addresses to which packets are sent. However, as described in Wolff at column 4, line 49 to column 5, line 58, client load balancing does not involve a system in which multiple configuration elements are associated with each resource and data is kept for each element indicating a service level that would result if that element were used to configure a resource.

Similarly, in order to perform resource rebalancing, a server modifies a configuration database. As with the client load rebalancing, it is clear that a single server is involved with the resource rebalancing as this server places a lock on the configuration database so that no other servers can participate in the rebalancing. See, for example, Wolff, column 8, lines 1-9. It is also clear that no data is kept for each server indicating a service level that would result if that server were used to rebalance the resources.

Finally, the examiner points to the Wolff embodiment showing concurrent input/output using a plurality of nodes as illustrating multiple elements (servers) configuring a database at Wolff, column 6, lines 6-67. However, in this embodiment, one server acts as an administrative server and actually performs a configuration of the storage system, such as allocating additional space. The other server performs data transfer operations. See Wolff, column 6, lines 18-35. To the extent that the other server performs configuration operations, such as zeroing out sectors (Wolff, column 6, lines 60-64) it is clear that both servers operate together. Wolff does not disclose keeping data for either the administrative server or the data transfer server so that a determination can be made whether to use this server pair to meet an administrator

specified service level. Thus, amended claim 1 patentably distinguishes over the cited Wolff reference.

Claims 2-14 are dependent, either directly or indirectly on amended claim 1 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff reference in the same manner as amended claim 1.

Independent claims 15, 19, 33, 37 and 51 contain limitations that parallel those in amended claim 1. Consequently these latter claims also patentably distinguish over the cited Wolff reference in the same manner as amended claim 1.

Claims 16-18 are dependent, either directly or indirectly on amended claim 15 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff reference in the same manner as amended claim 15.

Claims 20-32 are dependent, either directly or indirectly on amended claim 19 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff reference in the same manner as amended claim 19.

Claims 34-36 are dependent, either directly or indirectly on amended claim 33 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff reference in the same manner as amended claim 33.

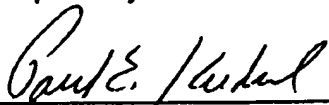
Claims 38-50 are dependent, either directly or indirectly on amended claim 37 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff reference in the same manner as amended claim 37.

Claims 52-54 are dependent, either directly or indirectly on amended claim 51 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff reference in the same manner as amended claim 51.

In light of the forgoing amendments and remarks, this application is now believed in condition for allowance and a notice of allowance is earnestly solicited. If the examiner has any further questions regarding this amendment, he is invited to call

applicants' attorney at the number listed below. The examiner is hereby authorized to charge any fees or direct any payment under 37 C.F.R. §§1.17, 1.16 to Deposit Account number 02-3038.

Respectfully submitted



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